

REMARKS

Claims 1-3 and 5-8 have been rejected under 35 USC 103(a) as unpatentable over Uchida in view of Kolev. The rejection is respectfully traversed.

Uchida discloses a TDD-system where first time slots in a frame are assigned for the downlink direction of transmission, and consecutive time slots are assigned for the uplink direction of transmission (see, for example, col. 2, line 64- col. 7, line 63.) Hence, different channel resources for one transmission direction are the time slots of a half frame. In claims 1 and 8, on the other hand, the channel resources are not time slots, but rather spread spectrum codes, code groups, frequencies and/or midambles. Moreover, there are multiple channel resources assigned for the same transmission direction and the channel description describes which order a sequence of data is divided amongst these resources. Neither Uchida nor Kolev, alone or in combination, disclose these features.

Additionally, claims 1 and 8 state that the channel description specifies the order of the transmission of data for the one transmission direction. Even assuming *arguendo* that it would have been obvious to replace the time slots in Uchida by codes, frequencies or midambles, there is no reasons to specify the order of transmission. This is so because the consecutive order (as described in Uchida) of the time slots is known to the subscriber station. As a result, the order in which to use the time slots for the transmission of data is known.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection

with the filing of this document to Deposit Account No. 03-1952 referencing docket no.449122010700. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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